

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-51 are presently active; Claims 1, 18, and 35 having been presently amended. No new matter has been added, as the present amendments provide clarification to the previously defined second obtaining operation execution in the independent claims as illustrated in flowchart Figures 32 and 33 of the specification.

In the outstanding Office Action, Claims 1-15, 18-32, and 35-49 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Suzuki (U.S. Pat. No. 5,270,775). Claims 16-17, 33-34, and 50-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Aikens (U.S. Pat. No. 6,216,113).

Firstly, Claim 1 defines a not-yet-obtained list generating device configured to generate a not-yet-obtained list indicating which of the at least one image-forming apparatus maintains not-yet-obtained usage information based upon the confirmation. The Office Action's indication as to a "not-yet obtained list generating device" being disclosed in Suzuki is believed to be in error. The Office Action identifies the image forming apparatuses that have not-yet been obtained due communication error in Figs. 10, 11, and 21 of Suzuki, as devices that apparently generate a not-yet obtained list generating device. However, Applicants respectfully submit that any list that remains usage information is not generated in Suzuki. Moreover, as indicated in the flowchart Figure 21 of Suzuki, there is no need to generate such a list because, upon a communication error at step 4, the process in Suzuki returns to start for repeating collection of data from the relay devices. In contrast, in the present invention, not only an image forming apparatus remains usage information but also a list is generated to be referred to based upon such a condition.

Further, Claim 1 presently defines a second obtaining operation executing device configure to execute a second obtaining operation for obtaining usage information from the at least one image-forming apparatus by accessing the at least one image-forming apparatus ***based on image forming apparatuses listed on the not-yet-obtained list***, which is generated based upon the confirmation.

In the present invention, the “second obtaining operation” is performed as to applicable image forming apparatuses listed on the not-yet obtained list, which is generated based upon the confirmation. By contrast and as noted above, Suzuki simply repeats the same collecting management apparatuses, as ultimately, all of the terminals in Fig. 10 and all of the relays (and hence ultimately all of the terminals) in Fig. 11 are re-accessed. In contrast, “the second obtaining operation” of the present invention is directed to those applicable terminals which have remained usage information. In view of a large number of users, the present information collection is more effective than that of Suzuki.

Hence, for these reasons, Applicants submit that Claims 1, 18, and 35 and the claims dependent therefrom patentably define over the applied prior art.

Regarding Claims 3, 20, and 37, these dependent claims further define that the apparatus list generating device is provided in the central control apparatus. In Suzuki, an apparatus list can be generated by the relay 2, and not the host computer 41 as asserted in the Office Action.<sup>1</sup> Indeed, relay 2 in Suzuki permits copying when a registered copy number (i.e., ID of an apparatus) is read from a copy card by its control unit, as described in col.4, lines 30-34 of Suzuki. Hence, dependent Claims 14, 31, and 48 for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

---

<sup>1</sup> Office Action, page 22-24.

Regarding Claims 7, 24, and 41, these dependent claims further define that the not-yet-obtained list generating device is provided in a central control apparatus. As mentioned above, Suzuki does not teach a not yet obtained list. As a result, Suzuki neither discloses nor suggests a not yet obtained list device provided in a central control apparatus. Hence, dependent Claims 7, 24, and 41 for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

Regarding Claims 14, 31, and 48, these dependent claims further define that the central control apparatus transmits obtaining-impossible-list to at least one of a sales person and a service person in charge of the image-forming apparatus having the not-yet-obtained usage information. Applicants respectfully submit that Suzuki does not teach or suggest, as simply asserted in the Office Action,<sup>2</sup> that “Suzuki transmits and displays the lists on a display device in Fig. 1.” Further, as the not yet obtained list (as shown above) is not disclosed or suggested by Suzuki, a sales person or a service person in charge of the image-forming apparatus in Suzuki could not be given not-yet-obtained usage information. Hence, dependent Claims 14, 31, and 48, for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

---

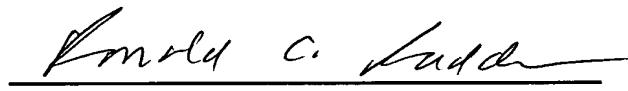
<sup>2</sup> Office Action, page 5, lines 23-26.

Application No. 09/492,456  
Reply to Office Action of September 8, 2004

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Ronald A. Rudder, Ph.D.  
Registration No. 45,618

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)  
GJM:RAR:chl

I:\ATTY\RAR\AMENDMENTS\05574892\AM(12-6-04).DOC